

paid for in full by all manufacturers and importers that sell tobacco products in this country.

Status quo is simply not an option. If nothing happens this year, many of these farmers will be forced to give up all they have. After 6 years of loaning on collateral, there is nothing left for the banks to do except foreclose. There will be no holding out for just a little while longer. This may sound like rhetoric to some but it is the precise truth for countless numbers of farm families. The lenders who call my office confirm it. Status quo is simply not an option.

I thank Senator McCONNELL and his staff for working so diligently to address this issue. It is vitally important that this legislation is achieved this year.

I am grateful, indeed, for Senator McCONNELL's commitment and Senator BUNNING's commitment to making this a reality. I look forward to my continued work with them and all the other tobacco State Senators on this important legislation. It is either now or never. Many livelihoods hang in the balance, and with it the future of rural communities in North Carolina and other tobacco-producing States. These rural citizens, the very ones who have helped make this country great, have been caught in a battle between corporate interests, some greedy trial lawyers, and those whose true desire is to ban tobacco from the face of the Earth. Let us allow these farm families who have been trapped in this battle to move on with their lives. They deserve it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I thank the Senator from North Carolina and the Senator from Kentucky for their important contributions to the development of this legislation. I also want to make clear to our colleagues this is a bipartisan bill. Senator EDWARDS of North Carolina, Senator HOLLINGS of South Carolina, Senator MILLER of Georgia, and Senator BAYH of Indiana are also cosponsors. In fact, there are 13 cosponsors of this important legislation. This is critical to our section of the country. We are going to work as intensely as we can to achieve the result for which our farm families are hoping.

With that, how much time remains on this side?

The ACTING PRESIDENT pro tempore. The Senator from Kentucky has 7½ minutes remaining.

Mr. McCONNELL. I will reserve that time. I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time? Who yields to the Senator from Pennsylvania?

Mr. McCONNELL. I will be happy to yield such time to the Senator from Pennsylvania as he desires.

SPEECH BY PETER R. ROSENBLATT

Mr. SPECTER. Mr. President, I thank my distinguished colleague from Kentucky.

I have sought recognition to comment about a very profound speech which was made by former Ambassador Peter R. Rosenblatt to the American Jewish Committee in Detroit, a speech which has a unique historical perspective, makes an analysis of the new-fashioned war, the asymmetrical war of terror, comments about the trio of terrorists, those who harbor terrorists, and the possession of weapons of mass destruction, and has a perceptive analysis of the complex role of the United States on working through the complex relationships with so many countries and the United Nations as we assert our role as the world's sole superpower.

This is a speech worth reading very broadly. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the Record, as follows:

THEN, NOW AND TOMORROW: AMERICA'S ROLE IN A CHANGING WORLD

Throughout recorded history the relationship amongst states has been determined primarily by the largest and most powerful among them and by their efforts to protect their interests within a stable state system. That may seem a statement of the obvious but it has become an issue now, as never before. In order to understand how, why and to what extent such a basic condition of human history may now be in question we must reach back to the political roots of the modern world.

It all goes back almost two centuries ago to the Congress of Vienna in the immediate aftermath of the French Revolution and the Napoleonic Wars. The victors of those wars, Britain, Prussia, Austria and Russia, joined with the restored royalist regime of defeated France to establish a new European order which, to all intents and purposes, meant a new world order. It endured, with modifications, for nearly a century.

Towards the middle of the century a number of major events threatened to unravel the stable Great Power relationships that had prevented major wars. The popular revolutions of 1848 undermined or overthrew traditional regimes, Italy was reunified in 1856 and, most importantly, the reunification of Germany was completed in 1871.

In 1862 King William I of Prussia had appointed Otto von Bismarck as his Chancellor. In three brief military campaigns in seven years against Denmark, Austria and France, respectively, Bismarck expelled the three states with opposing interests in Germany and in 1871 the new German Empire was proclaimed by King William, now Emperor William I.

The German Empire emerged from this series of events as the leading military power of Europe and Bismarck set to work to secure the new state against the pressures that he knew would inevitably build up against the leading power. Chief among the sources of this pressure was defeated France, now in her Second Republic and deeply embittered by her humiliation on the battlefield and the loss of two border provinces. Bismarck realized that French hostility to Germany had become a fixture of European diplomacy and that France would ally itself with any of the

other three Great Powers which might, at one time or another, wish to align itself Germany. Bismarck saw Germany as what he called a "satisfied" power which, after its unification, wanted nothing further from the other powers and was therefore primarily interested in a restoration of the stability that had prevailed since the Congress of Vienna. Understanding that in a constellation of five great powers Germany must be, as he put it, on the side of the three, he saw that it would be necessary for Germany to ally itself with Austria-Hungary and Russia. Of the other two Great Powers, France was in permanent opposition and Britain, an active colonial rival of France, adhered to a policy of "magnificent isolation" and therefore wished to become no one's ally—and least of all France's.

When Bismarck's chancellorship ended in 1890, his brilliant diplomacy had secured Germany as the linchpin of Europe, the leading power in an alliance structure of three, on good terms with England and absolutely unassailable militarily. He had created a state system so stable that even the unrelenting hostility of France threatened neither the security of Germany nor the peace of Europe.

The old Emperor's grandson and successor, the arrogant and foolish young William II, failed to understand Bismarck's statecraft and in short order terminated the alliance with Russia, throwing that country into the arms of France and dividing the continent into two increasingly unstable alliance blocs, which left Britain holding precarious balance. William then alienated Britain by a vast naval building program designed to match Britain's navy. Thus in a few years time William II reversed Bismarck's diplomatic accomplishments, ending a century-long period of stability which had seemed to make a major war unthinkable. In its place the statesmen of the time substituted uncertainty, rivalry between two alliance blocs and fear, always the enemies of peace. With the destruction of Bismarck's state system the world lost a stability which we have not succeeded in regaining in 113 years. The outcome was World War I, in some ways the major tragedy of the 20th Century, which destroyed the optimistic and predictable post-Napoleonic world of our ancestors.

Out of that war there emerged an entirely new and different state system of five powers, an exhausted and depleted Britain and France, revolutionary Soviet Russia and the newest entrants into the field, Japan and the United States. After fifteen years of turmoil and economic depression the five were joined by a resurgent Germany under Nazi rule. Unlike the stable state system of the 19th Century the inter-war state system was highly volatile and ultimately collapsed due to the weakness and passivity of England and France, the isolation of the United States and the aggressive expansionism of the other three.

World War II produced an entirely new state system of two great powers with a global reach engaged in a titanic struggle for dominance and survival. The cold war was a zero sum game in which the advantage of one became a loss to the other. The defeat of the Soviet Union in this massive half century long struggle produced a result unprecedented in world history; a single global power militarily, politically and economically vastly more powerful than all of its actual or potential rivals.

It would be a mistake, however, to think that because this is so there is no longer anything resembling a "state system" in the world today. There are now five other powers each one of which could, under appropriate circumstance, present a challenge to the United States over time and with which we

must learn to live on a basis of mutual accommodation. These are Russia, Japan, China, India and Europe, when Europe becomes significantly unified to act with one voice. Each of these is currently unable to present a significant challenge to the United States because of severe internal problems which inhibit the full realization of its potential power.

Russia has not recovered from the wars, misrule, economic mismanagement and intellectual distortions of the 20th century.

Japan, having prospered under the U.S. defense umbrella through the mobilization of its ancient social and cultural system, now suffers the downside of the very same system.

China will eventually become a great military power through the diversion of resources which are needed to bring its entire population into the modern world and to overcome vast internal demographic, social, economic and even hydrological problems, any one of which would alone take a generation to cope with.

Much the same could be said of India whose agenda, in addition, is still dominated by the unresolved consequences of the subcontinent's messy partition in 1947.

Western Europe, though prosperous, is disunited and disarmed. It is as unprepared to assume the responsibilities of a great global power as England and France were in 1939.

The wonderful professors who taught me my freshman European history course at Yale were fond of saying that "history does not repeat itself, only historians do." But certainly this maxim does not preclude even the devoted student of Professors Foord and Mendenhall from attempting the occasional historical analogy. We have arrived at this new phase of history very much more powerful in relation to the other major powers than was Germany after 1871. But like Germany then we are a "satisfied" power which wants nothing from any other. Our diplomatic task, like Bismarck's, is therefore to crate and preserve global stability. But our efforts to do so will have to be focused on new and different issues in addition to those which preoccupied Bismarck; and they are just as subject to mismanagement, the consequences of which could be even more catastrophic.

Now, why do I recite all of this history for you if the facts of today's world are so very different? Well, it is because the power politics of the 19th and 20th Centuries persist even as we cope with an entirely new class of threats arising from a totally different source. It's a bit like the science fiction movies in which a world preoccupied with its normal conflicts and rivalries is suddenly confronted with a unifying threat from outer space. But unlike the movies, there is little present evidence of a global appreciation of the magnitude of the threat.

The old world has not been abolished. International relations are still largely determined by the most powerful states—disproportionately our own. Just as in Bismarck's day, armies, economic power and cultural influence still determine the pecking order among states. Nor is there the slightest reason to expect that the major states will cease competing with each other.

But since September 11, 2001 Americans and a few others have become conscious of a new and terribly destabilizing overlay on the traditional state system which we are just in the earliest stages of understanding. I refer not just to terrorism, but more broadly to the ever increasing capacity of small, poor, weak states, terrorist groups, criminal organizations or even individuals to gain access to the most terrible weapons of mass destruction (WMDs) and to use them against the most powerful states or to hold them to

ransom by threatening their use. The fact that increasingly powerful weapons are becoming ever easier and cheaper to buy or produce places them within the reach of the familiar rogue's gallery of terrorist sponsoring or harboring states and to irresponsible non-state actors. It is not terrorists or terrorist harboring states or WMDs alone that are so terribly menacing and destabilizing in today's world, but the conjunction of all three.

The use of these terrible WMDs has been largely avoided up until now through the doctrine of deterrence—the threat of retribution as terrible or more so than the initial assault. That doctrine has depended for its viability on an assumption that the nation to be deterred is managed by at least minimally responsible leaders with enough judgment not to attack when the cost of so doing would be unacceptable. But how does one deter a WMD assault by a fanatic or psychotic adherent of some doctrine who has no regard for his own or any one else's life? And how does one deter a group if one cannot find it or if it is only one of many capable of mounting a devastating attack without leaving a fingerprint? And even if one were able to identify and find such a group, and if one were willing and able to buy it off, how much security would that bring and for how long?

This new global configuration has come to be known as asymmetrical warfare, in which the weak attack the strong without hope of victory in the conventional sense. The attackers have only the power to destroy. When Prussia defeated France in the Franco-Prussian War of 1870 Germany replaced France as Europe's strongest power. When the U.S. won the cold war it became the sole superpower. If Al Qaeda or some successor were, God forbid, to deliver a WMD to New York, Washington or Chicago in a shipping container or suitcase and detonate it, it could kill many Americans and do grievous damage to the U.S. economy, but it could neither conquer the U.S. nor replace it. The purpose of terrorist organizations which pursue this form of warfare is, rather, the survival of enough of them to attack again and again. Chaos, not direct conquest, is the objective. The theory of asymmetrical warfare conducted through terrorism is to disrupt the stronger power's economy, social cohesion and morale through massive human and material casualties so as to ease the path for the terrorists' political or other objectives.

The administration has reasonably concluded that a successful defense against asymmetrical warfare requires us to seize and hold the initiative. We simply cannot wait until the fatal conjunction between terrorists and WMDs occurs, most likely in the relative security of a terrorist-harboring rogue state, and we are confronted either with a WMD attack or with blackmail threats of such an attack.

We are therefore required to embark on a non-traditional policy of searching out, seizing or neutralizing through diplomatic, covert or, if necessary, military means any rogue states, terrorists, fanatics, criminals and psychotics who we believe are actively attempting to acquire and use, or threaten to use WMDs, or to harbor, support, supply or passively tolerate those who would do so. The administration has called this a policy of pre-emption and has explained that the threat is too urgent and the costs of failure too grave to allow us to respond solely through the usual diplomatic requests for investigative assistance, extraditions and trials by jury. In other words, we are engaged in war—a type of war for which there is only one historical precedent—but a war nonetheless, and not a criminal prosecution.

The precedent is, of course, Israel, which has been made a testing ground for the strat-

egy of asymmetrical warfare. All the ingredients are there, even if they have not worked as the attackers have planned. Terrorists are the delivery vehicles. The West Bank and Gaza were designed to be the harboring states after the Palestinian Authority was placed in charge of the so-called Area A under Oslo and after Israel's withdrawal from southern Lebanon. And WMDs? Well, fortunately none have yet been used, but not for lack of will. The Israeli authorities stopped an attempt to destroy Tel-Aviv's largest office building, the Azrieli Tower, and a fuel storage area north of Tel-Aviv. If either of these efforts had succeeded the casualties might well have matched those of 9/11.

The asymmetrical war of terror hasn't worked against Israel. The impact has been opposite that which the attackers expected. Israeli morale remains high, divisive internal disputes have been largely laid aside, and Israel has struck back with tremendous force and effect. Later, if not sooner, the impact intended for Israel may, in fact, be visited upon the attacker's own society.

Just as the war of terrorism being waged against Israel was a harbinger of the war now being waged against us and the rest of the civilized world, so Israel's reaction forecast ours. Israel long since identified this assault as a war rather than a criminal problem. Israel determined that it could not afford to wait until terrorist attacks occurred to take action against its sponsors. And it determined that preemptive action, in order to be effective, required military intervention in the harboring areas and elimination of those who plan, lead and execute the assaults.

The administration has made quite clear, through its actions more than its words, that it has gotten the message. It now rarely criticizes Israel for pursuing policies locally which it, itself, is pursuing globally.

Like Israel we are engaged in a twilight war in which we can be certain of the full support of only a few nations. Unlike Israel we do have some support from many others, but only we, Britain, Australia, Poland and a few others are willing to take the initiative in prosecuting the war with full vigor, and only our government does so with substantial popular support.

This circumstance requires that we maintain an international diplomatic posture and military force directed simultaneously at maintaining our political primacy and military superiority vis-à-vis other major powers, while waging active diplomatic and military warfare against terrorists, those who harbor or tolerate them and the proliferation of WMDs.

That is going to be expensive. We have seen that it took most of our West European allies only a decade of inattention and deeply slashed defense budgets to become nearly irrelevant to the global strategic equation. Far from cutting down on major weapons systems we are going to have to keep on developing new generations of them while we reconfigure a portion of our military to enable it to intervene anywhere in the world on very short notice to carry on the new war and, if necessary, to conduct what President Bush used to call "nation building."

We will also have to figure out how we are going to pay for all of this without killing the goose that has been laying all those golden eggs—by saddling ourselves with unacceptably high taxes or huge, escalating deficits.

It will also take active and imaginative diplomacy for us to avoid the fate of William II by alienating the rest of the world. We can afford to ignore or exclude a France which seeks actively to undermine our national interests. But only if we can ensure that it is

France and not we that becomes isolated in consequence. We cannot win this war without the active support of most, at least, of the world's major powers who see themselves to some extent as our rivals. And we will require at least the acquiescence of much of the rest of the world, including the Islamic world, whose governments are the terrorists' primary targets but many of whose ordinary people feel at least some sympathy for the terrorists' proclaimed objectives.

Well, that brings us back to our starting point this evening; our relationship with the world's other major powers. Anti-proliferation efforts and the war against terrorism cannot be conducted successfully by the U.S. alone. Therefore, it is necessary for us simultaneously to conduct our relationships and to contain our rivalries with these powers—perhaps it would be more accurate to say their rivalries with us—in the traditional manner on one level, even as we seek to lead them in a priority joint campaign against a global threat which some of them do not regard as seriously as we, but which has or soon will target all of them.

To some extent, this is happening even now. France, with which we have serious and perhaps enduring differences of a geopolitical nature, is cooperating with us in intelligence sharing in relation to the war on terrorism. China, which views us as a rival for influence in East Asia, is beginning to cooperate with us in dealing with the nuclear threat posed by its North Korean ally. And China and our old adversary, Russia, identify their campaigns against separatism amongst their Moslem minorities with our war on terrorism—a very uncomfortable fit for us.

The United Nations Security Council, seen after 9/11 as the logical instrument for organizing the world consensus against terrorism, proved incapable in the face of discord over Iraq among its permanent members. It was therefore bypassed, for much the same reason that it was bypassed during most of the cold war. Its structure no longer reflects the realities of the current global state system—if it ever did—and it is unlikely to realize its full potential until it, along with the entire United Nations system, is restructured. The UN today is a shambles, and not merely because Nauru with 6,000 citizens has the same General Assembly vote as China's 1.2 billion, nor because Libya is elected to chair the UN Human Rights Commission, or Iraq the Disarmament Commission or Syria becomes a non-permanent member of the Security Council, or that the UN and its agencies spend vast amounts of their time, effort and resources debating and implementing annual resolutions directed exclusively against Israel. No, the UN is a shambles because so much of what it does is irrelevant to the world's major issues that it lacks credibility even among those of its members who are chiefly responsible for its distortions.

But before we dismiss the UN as entirely irrelevant let us recall a few salient truths:

Metternich could conduct the Congress of Vienna, Bismarck the Congress of Berlin and Wilson the Versailles peace conference with four other principles and reshape the world. We are relatively far more powerful than any of those principals were, but we cannot be as effective as they were then in our war against terrorism, even with the co-operation of the 15 members of the Security Council.

The world has become so small and dangerous a place that we cannot even consider trying to stabilize it without the active participation of much of the rest of the world.

Therefore, if the UN did not already exist it would have to be invented. Only we, with our enormous power and influence, can make it work to focus the world's attention upon

the current version of the threat from outer space.

So here we are, the most powerful nation the world has ever known; and what is our number one global problem? A collection of small to medium third world countries none of which has ever won a war against anyone, with economies a tiny fraction of ours, most of whose people are still living in the Middle Ages, and rag-tag gangs of fanatics and criminals which, if they should ever acquire the world's most powerful weapons, may be undeterrable and unappeasable and may use these weapons rather than submit.

The real authority in our world may be distributed—albeit unevenly—among six major powers. But neither we, as the first among them, nor a majority of them as in Bismarck's alliance system nor all of them acting together, as in Vienna, Berlin, Versailles or last year in Security Council Resolution 1441, can absolutely ensure our safety. But we have no alternative but to try to create sufficient harmony among the world's principal powers to turn back the dark forces that threaten civilization.

TRIBUTE TO ASSISTANT U.S. ATTORNEY THOMAS P. SWANTON

Mr. SPECTER. Mr. President, I pay tribute to a very distinguished lawyer, Thomas P. Swanton, who has been in my office for more than 2 years on assignment from the Department of Justice, and I thank the Attorney General and the Department of Justice for this program which enables Senators to have excellent legal service and gives a different perspective to those who are assigned to a Senate office.

Tom Swanton is an extraordinary lawyer. He has come to my office with extensive trial skills and has done extraordinary work on counseling in my office, on post-9/11 legislation, on working on nominations, on legislative packages involving the death penalty, and the war on terrorism.

He has worked hard on these issues—each time jumping in feet first, soaking up knowledge, and moving legislation forward in this often complicated process. From his first assignment, he earned the respect of my staff, as well as mine.

Tom's primary duty consisted of working as my legal counsel for Judiciary matters where he handled a wide variety of issues. He also proved to be of invaluable assistance in crafting several pieces of post-September 11 legislation, all the while leading an investigation on terrorism financing. His skills and judgment in this arena are exceptional. My staff and I were constantly impressed with the wealth of knowledge he demonstrated.

Tom also provided a tremendous service to the people of Pennsylvania in working on issues such as class action reform and the Patents Bill of Rights. He demonstrated a remarkable amount of enthusiasm and initiative throughout his entire fellowship.

His dedication to each project was remarkable, and the assistance he provided to my office will not be easily matched. However, for Tom this level of dedication is par for the course. Since his graduation from West Point

in 1983, he has consistently served our country. Prior to his service with the U.S. Attorney's office, Tom served in the United States Army and is currently a LTC in the Army Reserve.

Tom's personal record is equally distinguished. Those who know him well consistently praise his qualities as a devoted husband and father of four beautiful children.

I urge my colleagues to join me today in commending Tom Swanton for his service as a legal fellow and for his devotion and leadership to our country.

TERRORIST PROSECUTION ACT

Mr. SPECTER. Mr. President, this morning a group of Senators met with Israeli Prime Minister Ariel Sharon in a very informative session as part of Prime Minister Sharon's visit to the United States where yesterday he met with President Bush.

An item which has been worked on for many years has been the effort to try in the U.S. courts Palestinian terrorists who murder U.S. citizens abroad. The Terrorist Prosecution Act, which I wrote back in 1986, provides for extraterritorial jurisdiction where U.S. courts have jurisdiction to try a Palestinian terrorist who murders an American citizen.

There are two prominent cases which could lend themselves to this approach. One case involves a Palestinian terrorist who is in the United States, where we have jurisdiction over him, where we need the cooperation of Israel in providing the witnesses. It was a matter which I discussed this morning with the Prime Minister, and we are working to see if we can secure that kind of cooperation. It was pointed out that sort of cooperation has been present in the past, and we are seeking to bring that about here.

Another possible prosecution would involve a Palestinian terrorist who confessed on television, so there is no issue about the voluntariness of his confession. There is a potential problem in that Israel opposes the death penalty and characteristically will extradite only where there is assurance from the country receiving the individual that the death penalty will not be sought. I believe there are exceptions under Israeli law where Israeli national security is involved. I believe the threat of the war on terrorism would qualify under that section.

There is a second aspect, and that is the vindication of U.S. rights where American citizens are murdered by Palestinian terrorists in Israel. I think there is a very real issue about vindicating U.S. interests. We are going to continue to pursue that line.

One other observation in the brief amount of time remaining. The meeting between President Bush and Prime Minister Ariel Sharon was a very warm and a very good meeting. One of the items which I think bears a little focus is the unusual rapport between these two men, where President Bush referred to Prime Minister Sharon by his